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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/038,167

10/23/2001

Bert Boehler

P01,0335

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07/11/2006

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/038,167

EXAMINER

ART UNIT	PAPER
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20060705

DATE MAILED:

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Commissioner for Patents

Reply Brief

The reply brief filed 4-25-2006 has been entered and considered. As noted by the Applicant, the Examiner was incorrect to state in the Examiner's Answer that the "grounds of rejection to be reviewed on appeal is correct". The grounds of rejection should be the same as is listed in the rejection:


Claims 1-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (USPN: 5,954,650) hereinafter Saito in view of Fenster et al. (USPN: 6,461,298 B1) hereinafter Fenster.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (USPN: 5,954,650) hereinafter Saito and Fenster (USPN: 6,461,298 B1) in view of Yamamoto (USPN: 6,725,215).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (USPN: 5,954,650) hereinafter Saito and Fenster (USPN: 6,461,298 B1) in view of Rosenberg (USPN: 6,259,382).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (USPN: 5,954,650) hereinafter Saito and Fenster (USPN: 6,461,298 B1) in view of Roberts (USPN: 6,601,055).

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173